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E.O. 12958: DECL: 07/17/2018

TAGS: [KACT](#) [PARM](#) [START](#) [JCIC](#) [INF](#) [US](#) [RS](#) [UP](#) [BO](#) [KZ](#)

SUBJECT: JCIC-XXXIII: (U) U.S.-UKRAINE HEAD OF DELEGATION
MEETING ON ARTICLE XVII, NOVEMBER 20, 2008

REF: GENEVA 0991 JCIC-XXXIII-013

Classified By: Jerry A. Taylor, United States Representative
to the Joint Compliance and Inspection Commission.

Reasons: 1.5(b) and (d).

11. (U) This is JCIC-XXXIII-021.

12. (U) Meeting Date: November 20, 2008

Time: 3:00 - 3:30 P.M.

Place: U.S. Mission, Geneva

SUMMARY

13. (S) At Ukrainian request, U.S. and Ukrainian Heads of Delegation (HOD) met to discuss and clarify the Ukrainian position outlined during the November 17, 2008 (Ref), HOD meeting on Article XVII. Nykonenko stated that Ukraine wanted to remain part of the START process if START is extended and to be included as part of any post-START process. If START is not extended and if Ukraine is not part of the post-START process, Ukraine, for internal political purposes, would ask for reconfirmation by the United States and Russia of the security assurances contained in the 1994 Trilateral Statement. He also previewed that he would be proposing three JCIC sessions in 2009 primarily for the purpose of allowing the Ukrainian side to discuss START extension.

End Summary.

14. (S) After being welcomed by U.S. HOD Taylor, AMB Nykonenko, who had been absent during the November 17, 2008, HOD meeting on Article XVII, stated that he was aware that there had been a lively debate on the question of the possible extension of START or its replacement by a new instrument, and that the latter possibility posed a great concern to Ukraine. He stressed that Ukraine wanted to

remain part of the process, explaining that his government thought that Ukraine deserved to be included, taking into account all of its contributions to START. He recalled that Ukraine had held an unambiguous and steadfast position from the beginning but that its decision to reject nuclear weapons was not taken easily: the Trilateral Statement and the Budapest Memorandum were not just for the experts but also for domestic politics, emphasizing that it had a very large domestic political dimension. It was for that reason, he said, that Ukraine wanted to remain part of the process.

Nykonenko added that Ukraine had a major concern that "our Russian colleagues" might unilaterally expand their nuclear capability in a way that would directly affect Ukraine's national security. Aside from the political aspects of the issue, Nykonenko said that the main problem was that Ukraine still had solid fuel and solid rocket motors that require elimination.

¶5. (S) Nykonenko then turned to the question of the U.S-Russian draft agreement on post-START. He said that this question was even more acute, adding that he was aware of the U.S. and Russian position, and said that what he was going to tell Taylor may become the foundation of how Ukraine develops its position. Ukraine knows that Russia does not want Ukraine to remain in this process but Ukraine has a different position, which may diverge from that of the Russians.

¶6. (S) Taylor stated that the United States does not see START being extended although some provisions of the Treaty might be carried over, and that the U.S. view in the future would be guided by the results of senior level discussions. He acknowledged that the United States had provided a draft of a post-START agreement to Russia, that it was based on the Moscow Treaty, and focused on operationally deployed strategic nuclear warheads. Taylor agreed that Ukraine had contributed to the successful implementation of START, especially through the removal of all nuclear warheads from Ukraine. At present, the only Treaty-accountable items that remained in Ukraine were the remaining SS-24 solid rocket motors, as all other strategic offensive arms had been eliminated. The post-START document developed by the United States did not include Ukraine.

¶7. (S) Nykonenko asked whether his understanding was correct that the United States did not see Ukraine as part of that future process. Taylor confirmed Nykonenko's understanding. Nykonenko then asked what sort of confirmation of the security assurances contained in the Trilateral Statement and the Budapest Memorandum the United States foresaw providing to Ukraine. Taylor responded that he did not have an answer to that question at this time but he noted that he had reviewed the Trilateral Statement with his legal adviser and had not seen any provision therein that would cause it to terminate when START expired.

¶8. (S) Nykonenko, setting aside the legal aspects, said that it was for good reason that he had stressed the memorandum and the domestic political scene that could impact the situation. He said that it was important for Ukraine to have a document that would reconfirm the U.S. position in the framework of the Trilateral Statement, and Ukraine would also like this document to be trilateral, while recognizing that Ukraine cannot ask Russia for that at this time. Such a document was more salient after what happened in Georgia in August. He added that, while he was not going to say much more, it was also based on Crimea and the presence of the Black Sea Fleet and its continued presence there. He asked that Taylor pass on to his authorities the attention that Ukraine is devoting to this issue. He explained that he would not characterize this as a major concern but that it should be seen in the context of U.S.-Ukrainian relationship, and that he would note the reaction of the Russians to the Ukrainian proposal about continuing participation in the process.

¶9. (S) Taylor expressed his regret that the two sides had not had a chance to have this meeting earlier, before the November 17 meeting, because of the strong reactions the

Ukrainian statement had elicited. He noted, however, that he understood the seriousness of the political situation. Nykonenko concluded the meeting by giving Taylor a preview of an idea the Ukrainian side would be proposing at the November 21 Closing Plenary: Given the complexity of issues related to START extension, Ukraine will propose the possibility that the JCIC meet not just in the two normal sessions but in at least three sessions, proposing April, August and December as possibilities. Nykonenko said that such a schedule would provide a forum to discuss this issue more with all involved.

¶10. (U) Documents exchanged: None.

¶11. (U) Participants:

U.S.

Mr. Taylor
Mr. Brown
Mr. Kuehne
Ms. Gross (Int)

UKRAINE

AMB Nykonenko
Dr. Shevtsov
Mr. Bodarenko

¶12. (U) Taylor sends.
TICHENOR

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